

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KRAFT FOODS GLOBAL, INC., THE)	
KELLOGG COMPANY, GENERAL)	
MILLS, INC., and NESTLÉ USA,)	
INC.,)	
)	No. 1:11-cv-08808
Plaintiffs,)	
)	Judge Steven C. Seeger
v.)	
)	
UNITED EGG PRODUCERS, INC.,)	
UNITED STATES EGG)	
MARKETERS, INC., CAL-MAINE)	
FOODS, INC., and ROSE ACRE)	
FARMS, INC.)	
)	
Defendants.)	

**JOINT STATUS REPORT AND MOTION FOR
BRIEF EXTENSION OF PRETRIAL ORDER DEADLINES**

NOW COME Plaintiffs Kraft Foods Global, Inc., The Kellogg Company, General Mills, Inc., and Nestlé USA, Inc. and Defendants United Egg Producers, Inc., United States Egg Marketers, Inc., Cal-Maine Foods, Inc., and Rose Acre Farms, Inc. (collectively, the “Parties”), by counsel, and move this Court for Joint Status Report and Motion for Brief Extension of Pretrial Order Deadlines. In support, the Parties state as follows:

1. On December 19, 2022, the Court entered an order setting certain dates relating to the pretrial order process in advance of the September 28, 2023, final pretrial conference and the October 16, 2023, trial date in this complex case (the “December 2022 Order”). ECF No. 249. As it related to the pretrial order

process, the December 2022 Order directed the Parties to resolve as many of the issues as possible during the meet and confer process. *Id.* The Court also directed the Parties to make the final pretrial order user-friendly and to narrow the issues so the trial can focus on the questions of material fact. *Id.*

2. Mindful of the Court's directives, the Parties have been working collaboratively on the pretrial order process during the Spring and early Summer. As directed in the December 2022 Order, Plaintiffs tendered their portion of the final pretrial order to Defendants on June 9. Since that time, the Parties have begun the meet and confer process, even as the Defendants have prioritized the preparation of their portion of the final pretrial order, due to be exchanged with Plaintiffs on June 23.

3. Notwithstanding the best and ongoing efforts of the Parties, given the significant unresolved issues identified in the Plaintiffs' draft pretrial order submission to Defendants, the Parties request a short extension of the two future pretrial order deadlines: specifically, the June 23 Defendant exchange deadline and the August 1 final pretrial order submission deadline.

4. Relatedly, the Parties recently contacted the Court to request a status at the Court's convenience, so the Parties could identify the key pending issues for the Court that, if resolved, should facilitate submission of a more user-friendly pretrial order. Resolution of those issues also may narrow the number of pretrial disputes and enable the Parties to focus their attention on ensuring a more efficient evidentiary presentation at trial. Subject to the Court's direction at that status,

there could be further requested modifications of the final pretrial order submission deadline.

5. The Parties will work diligently and collaboratively to comply with any modified schedule, as no party seeks an extension of the September 28 pretrial conference or the October 16 trial date.

June 22, 2023

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Respectfully submitted,

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